

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCIS HENRIQUEZ-DISLA and : CIVIL ACTION  
MAGALAY PACHECO

:  
v. :  
:  
ALLSTATE PROPERTY & : NO. 13-284  
CASUALTY INSURANCE  
COMPANY

**ORDER**

AND NOW, this 10th day of February, 2015, upon consideration of Defendant's motion for summary judgment, Plaintiffs' motion for partial summary judgment, the responses, Plaintiffs' reply, and the attachments to the filings, and for the reasons stated in the accompanying memorandum, IT IS HEREBY ORDERED that Plaintiffs' motion (Doc. 72) IS DENIED, Defendant's motion (Doc. 71) is GRANTED IN PART and DENIED IN PART. Judgment is granted in favor of Defendant on the bad faith claim. In all other respects the Defendant' motion is DENIED.

IT IS FURTHER ORDERED that within ten days, counsel shall each provide a brief on the evidentiary burdens applicable to Allstate's defense of material misrepresentation to the breach of contract claim and the Pennsylvania Insurance Fraud statute, 18 Pa. C.S.A. § 4117.

BY THE COURT:

/s/ELIZABETH T. HEY

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ELIZABETH T. HEY, U.S.M.J.